

1, 2019 and April 15, 2019 Scheduling Orders, Defendants David Bernhardt, in his official capacity as Secretary of the United States Department of the Interior; Margaret Everson, in her official capacity as Principal Deputy Director of the United States Fish and Wildlife Service; and the United States Fish and Wildlife Service hereby move for summary judgment on all the claims in Plaintiff's complaint.²

Dated: April 16, 2019

Respectfully submitted,

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/s/ Kaitlyn Poirier

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² In its complaint, Plaintiff alleged that Defendants had violated the Endangered Species Act and Administrative Procedure Act by failing to conduct a “proper” listing analysis. ECF 1 ¶¶ 117-122. Plaintiff has waived this claim by failing to address it in its opening brief. Defendants’ memorandum in support will address the remaining claims in Plaintiff’s complaint.

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CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2019, a true and correct copy of the above document was electronically filed with the Clerk of Court using CM/ECF. Copies of the document will be served upon interested counsel via the Notices of Electronic Filing that are generated by CM/ECF.

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